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\$1647

PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Commissioner of Patents, Washington, DC 20231.

Date

February 5, 2002

Stephanie Jansen

[Signature]

8/a
M.Q.J
3/13/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lawrence H. Thompson

Attorney Docket No.: 500731.01

Serial No. : 09/637,962

Group Art Unit : 1647

Filed : August 11, 2000

Examiner : Regina M. DeBerry

Title : THERAPEUTIC METHODS FOR TREATING SUBJECTS WITH A RECOMBINANT ERYTHROPOIETIN HAVING HIGH ACTIVITY AND REDUCED SIDE EFFECTS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicant herewith petitions the Commissioner of Patents under 37 C.F.R. § 1.136(a)(3) for a three-month extension of time for filing the response to the Examiner's Action of October 5, 2001, from November 5, 2001, to February 5, 2002. Submitted herewith is a check in the amount of \$920 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to Deposit Account No. 50-1266.

In response to the Restriction Requirement dated October 5, 2001, applicant hereby elects Group V, claims 66-89, for examination at this time. Please cancel claims 1-65 and 90-116, drawn to the non elected Groups without prejudice to the filing of any divisional, continuation, or continuation-in-part application.

1. THE EXAMINER'S ACTION IS HEREBY CHALLENGED.

2. THE EXAMINER'S ACTION IS HEREBY CHALLENGED.

3. THE EXAMINER'S ACTION IS HEREBY CHALLENGED.

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FEE TRANSMITTAL SHEET (FOR FY 2001)

Complete if Known

Application No. 09/637,962
Filing Date August 11, 2000
First Named Inventor Lawrence H. Thompson
Group Art Unit 1647
Examiner Regina M. DeBerry
Atty. Docket Number 500731.01

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METHOD OF PAYMENT (Check One)

1. ☒ The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 and 1.136(a)(3) and credit any over payments to Deposit Account No.: 50-1266; Deposit Account Name: DORSEY & WHITNEY LLP

2. ☒ Check Enclosed

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
101	740	201	370	<input type="checkbox"/> Utility Filing Fee
106	330	206	165	<input type="checkbox"/> Design Filing Fee
108	740	208	370	<input type="checkbox"/> Reissue Filing Fee
114	160	214	80	<input type="checkbox"/> Provisional Filing Fee

Subtotal (1) \$ 0

2. EXTRA CLAIM FEES

Current Claims	Prior	Extra	Fee	Fee Paid
Total 24	- 116	= 0	x \$ 18	= \$ 0
Ind. 1	- 7	= 0	x \$ 84	= \$ 0
Multiple Dependent Claims		x	\$	= \$

Subtotal (2) \$ 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent Claim
109	80	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - Late filing fee or oath	\$
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$
139	130	139	130	Non-English specification	\$
147	2,520	147	2,520	For Filing a Request for Reexamination	\$
195	300	196	300	Publication (early or Republication)	\$
115	110	215	55	Extension for reply within first month	\$
116	400	216	200	Extension for reply within 2 nd month	\$
117	920	217	460	Extension for reply within 3 rd month	\$ 920
118	1,440	218	720	Extension for reply within 4 th month	\$
128	1,960	280	980	Extension for reply within 5 th month	\$
120	320	220	160	Filing a brief in support of an appeal	\$
121	280	270	140	Request for oral hearing	\$
148	110	248	55	Terminal Disclaimer Fee	\$
140	110	240	55	Petition to revive - unavoidable	\$
141	1,280	241	640	Petition to revive - unintentional	\$
142	1,280	242	640	Utility/Reissue issue fee (+ advance copies)	\$
143	480	243	230	Design issue fee (+ advance copies)	\$
122	130	122	130	Petitions to the Commissioner	\$
123	50	123	50	Petitions related to provisional applications	\$
126	180	126	180	Submission of IDS	\$
581	40	81	40	Recording each patent assignment per property (times number of properties)	\$
179	740	279	370	Request for Continued Examination (RCE)	\$

Other fee (specify)

Subtotal (3) \$ 920

Total Amount of Payment: \$ 920

Submitted by:

Name: Mark W. Roberts, Ph.D.

Reg. No.: 46,160

Telephone: (206) 903-8728

Signature:

Date: 2/5/02